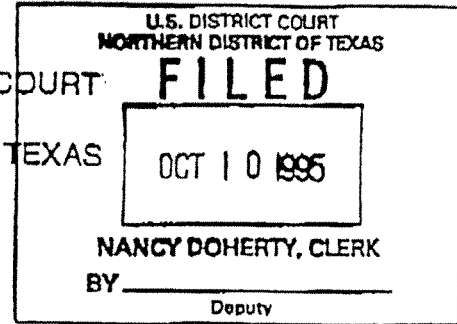


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



DEBRA WALKER, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT
OF HOUSING AND URBAN
DEVELOPMENT, et al.,

Defendants.

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§

CIVIL ACTION NO. CA3-85-1210-R

ENTERED ON DOCKET
PURSUANT
TO F. R. C. P. RULES
58 AND 79a

ORDER APPROVING PUBLIC HOUSING SITE

1. DHA's Motion For Approval Of Public Housing Site is granted and the property owned by DHA at the corner of Frankford Road and Marsh Lane (the Frankford/Marsh Site) is approved as the site for construction of a family housing project. DHA shall proceed with the development of 75 family units at that site in accordance with the terms of the court's order of February 7, 1995.

2. The United States Department of Housing and Urban Development shall pay DHA one million three hundred thirty two thousand, nine hundred forty nine dollars and thirty five cents (\$1,332,949.35), not later than October 10, 1995, to reimburse DHA for the fair market value of \$1,300,000.00 paid by DHA to purchase the Frankford/Marsh Site and for expenses related to the purchase of the Site.

ORDER APPROVING PUBLIC HOUSING SITE

Page 1.



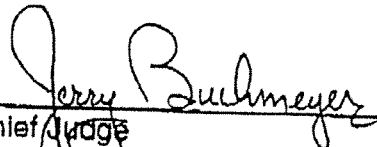
Appendix 516

3. DHA shall implement the following portions of Resolution Number 3383 of the DHA Board of Commissioners, which was adopted by the Board of Commissioners on May 25, 1995:

- a. The family housing project at the Frankford/Marsh Site (the Frankford/Marsh Development) shall be of high quality and shall be architecturally compatible with the surrounding neighborhoods.
- b. The Frankford/Marsh Development shall have adequate parking and lighting and attractive, landscaped open areas.
- c. The Frankford/Marsh Development shall have play areas for younger children and recreational facilities for youths living in the Development.
- d. DHA shall provide recreational and leadership programs for the youths living in the Frankford/Marsh Development.
- e. DHA shall form a neighborhood advisory committee or committees and shall seek the advice of those committees regarding the design, construction and operation of the Frankford/Marsh Development. DHA shall regularly report to the court regarding the activities of the Frankford/Marsh neighborhood advisory committees.
- f. DHA shall screen applicants for residence in the Frankford/Marsh Development in accordance with DHA's customary procedures and applicable regulations, which include criminal background checks.
- g. DHA shall cause the Frankford/Marsh Development to be properly maintained in accordance with high standards of quality.

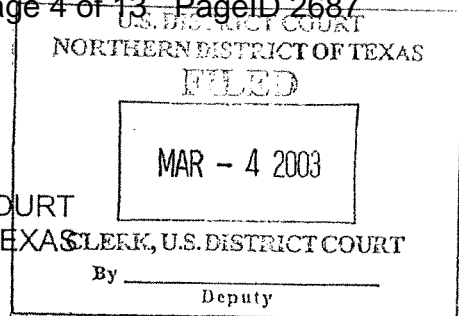
- h. DHA shall require every resident of the Frankford/Marsh Development to participate in the Family Self-Sufficiency Program and shall provide to those residents the benefits of all other DHA self-help programs.
 - i. DHA shall implement and continue to operate a crime prevention program for the Frankford/Marsh Development.
 - j. DHA shall promote programs for effective interaction between neighborhood residents and the residents of the Frankford/Marsh Development.
4. DHA shall obtain from the Dallas Police Department and provide to the court monthly reports of criminal activity in and around the Frankford/Marsh Development and in and around the DHA Kelly Boulevard development.
5. DHA, in its operation of the Frankford/Marsh Development, shall enforce DHA's existing policy of evicting residents for criminal activity by residents, family members or guests.

Dated: October 10, 1995.



Chief Judge

D-0243609.01



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DEBRA WALKER, et al.,	§	CIVIL ACTION NO.
	§	
v.	§	3:85-CV-1210-R
	§	
U.S. DEPARTMENT OF HOUSING	§	CLASS ACTION
AND URBAN DEVELOPMENT, et al.	§	

**UNOPPOSED MOTION TO AMEND TENANT SELECTION AND
ASSIGNMENT PROCEDURES – FRANKFORD TOWNHOMES**

The Housing Authority of the City of Dallas ("DHA") moves the court for authorization to utilize a site-based waiting list as the basis for assignment of families to Frankford Townhomes.

1. DHA has utilized a combined waiting list for selecting and assigning families to public housing at Barbara Jordan Square, Brackins Village, Carroll Townhomes, Cedar Springs Place, Cedar Springs Place Addition, Elmer Scott Place, Frankford Townhomes, Frazier Courts, Frazier Courts Addition, The Hamptons at Lakewest, Kingbridge Crossing, Lakeview Townhomes, Scattered Sites, Little Mexico Village, Monarch Townhomes, Pebbles Apartments, Rhoads Terrace, Roseland Homes, Roseland Townhomes, and Turner Courts.

2. DHA has determined that, in order to maintain full occupancy at Frankford Townhomes, it is necessary and desirable to utilize a separate, site-based waiting list for tenant selection and assignment at Frankford Townhomes.

3. All Families who desire to live at Frankford Townhomes, regardless of whether they currently occupy public housing and regardless of their status on

any DHA waiting list, may request to be placed on the Frankford Townhomes waiting list.

4. Families may be placed on the Frankford Townhomes waiting list without affecting their standing on any other DHA waiting list.
5. In order to be eligible to live at Frankford Townhomes:
 - a. no member of the household may have been convicted of a violent or drug-related crime during the 5-year period immediately preceding application;
 - b. the Family must never have been evicted for cause from any rental housing;
 - c. the head of the household must attend a Family Self-Sufficiency Program orientation and enroll in the Family Self-Sufficiency Program before moving to Frankford Townhomes.
6. The head of the household or his or her spouse must be enrolled in a school or job-training program or must have been employed continuously for the entire six-month period preceding occupancy of a Frankford Townhomes unit.
7. Each adult Family member who lives at Frankford Townhomes must contribute eight (8) hours per month of community service (not including political activities) within the community in which he or she lives or must participate in an economic self-sufficiency program for eight (8) hours per month.
8. DHA, upon receiving the court's authorization, will immediately institute the use of a separate waiting list for families who desire to live at Frankford Townhomes according to the following procedures:

a. DHA will notify all persons on its family public housing waiting list that:

(1) vacancies at Frankford Townhomes will be filled from a site-specific waiting list created and maintained solely for Frankford Townhomes; and

(2) all persons who notify DHA of their desire to live at Frankford Townhomes will be placed on the Frankford Townhomes waiting list.

b. DHA will assign Families to the Frankford Townhomes waiting list in the order in which DHA receives their responses to the notice prescribed by the court's order.

c. After DHA notifies persons on its family public housing waiting list that DHA will begin utilizing a site-specific Frankford Townhomes waiting list, DHA will offer housing at Frankford Townhomes to all persons who apply for any form of housing assistance.

9. Until otherwise ordered by the court, DHA will fill all vacancies at Frankford Townhomes from the site-specific Frankford Townhomes waiting list created pursuant to the court's order.

10. DHA will include the following information in its quarterly report to the court: (a) the total number of persons on the site-specific Frankford Townhomes waiting list as of the end of the quarter and the race or Hispanic ethnic origin of each person on the list; (b) the total number of offers made and the race or Hispanic ethnic origin of the persons to whom the offers were made

during the preceding quarter; and (c) the total number of offers accepted and the race or Hispanic ethnic origin of each person accepting an offer during the preceding quarter.

11. DHA will continue to operate Frankford Townhomes in accordance with the Order Approving Public Housing Site, filed October 10, 1995, as modified by subsequent orders.

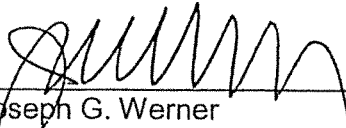
12. The Department of Housing and Urban Development has approved the use of a site-based waiting list for Frankford Townhomes, subject to (a) continuing compliance with the implementation and monitoring requirements of 24 C.F.R. § 903.7(b)(2)(ii); (b) compliance with court orders; (c) affirmatively furthering fair housing; and (d) compliance with civil rights laws and certifications.

13. No party opposes this motion.

Prayer

Wherefore, premises considered, DHA prays that it be authorized to utilize a site-based waiting list as the basis for the assignment of families at Frankford Townhomes, pursuant to the terms and conditions herein described.

Respectfully submitted,



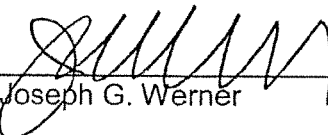
Joseph G. Werner
State Bar No. 21190000
Aimee Minick
State Bar No. 24026882

HAYNES AND BOONE, L.L.P.
901 Main Street
Suite 3100
Dallas, Texas 75202-3789
Telephone: (214) 651-5000
Telecopier: (214) 651-5940

ATTORNEYS FOR DEFENDANT
THE HOUSING AUTHORITY FOR
THE CITY OF DALLAS

Certificate of Conference

I have conferred with Michael M. Daniel, Esq., attorney for the Plaintiffs, and with Charles Estee, Esq., attorney for the City of Dallas, regarding the foregoing motion. The Plaintiffs do not oppose the motion. The City of Dallas takes no position on the merits of the motion.



Joseph G. Werner

Certificate of Service

The undersigned certifies that a copy of the foregoing instrument was served on the following attorneys of record to the above cause in accordance with the Federal Rules of Civil Procedure on the 4th day of March, 2003:

Michael M. Daniel, Esq.
Michael M. Daniel, P.C.
3301 Elm Street
Dallas, Texas 75226

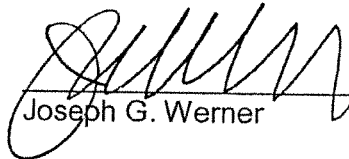
Via First Class Mail

Charles Estee, Esq.
City of Dallas
City Hall
1500 Marilla, 7BN
Dallas, Texas 75201

Via First Class Mail

Louis J. Weber, Jr., Esq.
Special Master
Walker v. HUD, et al.
8117 Preston Road
Suite 680
Dallas, Texas 75225

Via First Class Mail

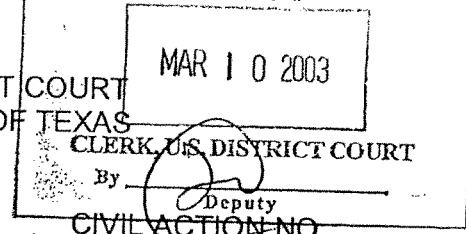


Joseph G. Werner

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



DEBRA WALKER, et al.,

v.

U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT, et al.

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3:85-CV-1210-R

CLASS ACTION

**ORDER ESTABLISHING WAITING LIST AND ASSIGNMENT
PROCEDURES FOR FRANKFORD TOWNHOMES**

The Housing Authority of the City of Dallas ("DHA") and the Plaintiffs having agreed to the entry of this order, and no other party being opposed to its entry, it is hereby ORDERED that DHA institute the following procedures for the assignment of residents to DHA's Frankford Townhomes:

1. Families who desire to live at Frankford Townhomes, regardless of whether they currently occupy public housing and regardless of their status on any other DHA waiting list, may request to be placed on a separate, site-specific waiting list to be used solely for filling vacancies at Frankford Townhomes.
2. Families may be placed on the Frankford Townhomes waiting list without affecting their standing on any other DHA waiting list.
3. In order to be eligible to live at Frankford Townhomes:
 - a. no member of a household may have been convicted of a violent or drug-related crime during the 5-year period immediately preceding application;
 - b. the Family must never have been evicted for cause from any rental housing;

2278

ORDER ESTABLISHING WAITING LIST AND ASSIGNMENT
PROCEDURES FOR FRANKFORD TOWNHOMES

Page 1

c. the head of the household must attend a Family Self-Sufficiency Program orientation and enroll in the Family Self-Sufficiency Program before moving to Frankford Townhomes.

4. The head of the household or his or her spouse must be enrolled in a school or job-training program or must have been employed continuously for the entire six-month period preceding occupancy of a Frankford Townhomes unit.

5. Each adult Family member who lives at Frankford Townhomes must contribute eight (8) hours per month of community service (not including political activities) within the community in which he or she lives or must participate in an economic self-sufficiency program for eight (8) hours per month.

6. DHA shall immediately institute the use of a separate waiting list for families who desire to live at Frankford Townhomes according to the following procedures:

a. DHA will notify all persons on its family public housing waiting list that:

(1) vacancies at Frankford Townhomes will be filled from a site-specific waiting list created and maintained solely for Frankford Townhomes; and

(2) all persons who notify DHA of their desire to live at Frankford Townhomes will be placed on the Frankford Townhomes waiting list.

b. DHA will assign Families to the Frankford Townhomes waiting list in the order in which DHA receives their responses to the notice prescribed by this order.

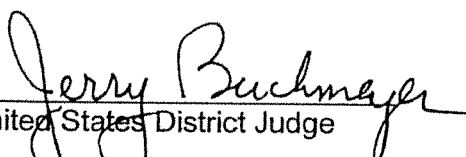
c. After DHA notifies persons on its family public housing waiting list that DHA will begin utilizing a site-specific Frankford Townhomes waiting list, DHA will offer housing at Frankford Townhomes to all persons who apply for any form of housing assistance.

7. Until otherwise ordered by the court, DHA shall fill all vacancies at Frankford Townhomes from the site-specific Frankford Townhomes waiting list created pursuant to this order.

8. DHA shall include the following information in its quarterly report to the court: (a) the total number of persons on the site-specific Frankford Townhomes waiting list as of the end of the quarter and the race or Hispanic ethnic origin of each person on the list; (b) the total number of offers made and the race or Hispanic ethnic origin of the persons to whom offers were made during the preceding quarter; and (c) the total number of offers accepted and the race or Hispanic ethnic origin of each person accepting an offer during the preceding quarter.

9. DHA shall continue to operate Frankford Townhomes in accordance with the Order Approving Public Housing Site, filed October 10, 1995, as modified by subsequent orders.

Dated: 7 MARCH 03


United States District Judge

D-1061961_5.DOC